

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

CITY OF PHENIX CITY, a )  
Municipal Corporation, and )  
RUSSELL COUNTY, ALABAMA, )  
etc., )

Plaintiffs, )

v. )

McKENZIE TANK LINES, INC., )  
d/b/a McKENZIE TANK LINES )  
OF ALABAMA, INC., )

Defendant. )

CIVIL ACTION NO.  
3:06cv1074-MHT

ORDER

It is ORDERED that the motion to dismiss (doc. no. 5)  
is set for submission, without oral argument, on December  
29, 2006, with all briefs due by said date.

DONE, this the 11th day of December, 2006.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE